IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 54

Applicant:

SAMAIN, Eric et al.

Title:

METHOD FOR PRODUCING OLIGOPOLYSACCARIDES

Appl. No.:

10/019,954

Filing

05/24/2002

Date:

Examiner:

Unassigned

Art Unit:

Unassigned

UNDER 37 CFR §1.56

Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-SB-08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO-SB-08 was cited as being relevant during the prosecution of the corresponding International application. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO. The absence of any translations or any English-language counterpart documents does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB-08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date May 24, 2002

FOLEY & LARDNER

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	STATEMENT	BY APPLI	CANT	Filing Date	05/24/2002			
	Data Submitt	od: May 24	2002	First Named Inventor	SAMAIN, Eric			
	Date Submitte	ed: May 24	, 2002	Group Art Unit	Unassigned			
	(use as many si	heets as ne	cessary)	Examiner Name	Unassigned			
Sheet	1	of	2	Attorney Docket Numb	er 065691-0267	_		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	F Office	oreign Patent D ³ Number ⁴	ocument Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	A1	DE	197 35 994		Piepersberg Wolfgang Prof.	02/25/1999		
	A2	EP	0 392 556		Meito Sangyo KK	10/17/1990		
	A3	EP	0 315 496		SGN Soc. Gen. Tech. Nouvelle	05/10/1989		
	A4	WO	98 44145		Abbott Lab	10/08/1998		
	A5	wo	95 02683		Neose Pharm. Inc.	01/26/1995		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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Application Number	10/019,954	
Filing Date	05/24/2002	
First Named Inventor	SAMAIN, Eric	
Group Art Unit	Unassigned	
Examiner Name	Unassigned	
Attorney Docket Number	065691-0267	

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Cite Examiner item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), Initials* publisher, city and/or country where published. BETTLER et al., "The Living Factory: In Vivo Production of N-acetyllactosamine containing carbohydrates A6 in E. Coli", Glycoconjugate Journal, 1999, pp. 205-212, Vol. 16, XP002134857, Chapman & Hall., GB SAMAIN et al., "Production of O-acetylated and Sulfated Chitooligosaccharides by Recombinant **A7** Escherichia Coli Strains Harboring Different Combinations of Nod Genes", Journal of Biotechnology, 1999, pp.33-47, Vol. 72, No. 1-2, XP004172885, Elsevier Science Publishers, Amsterdam PLUMBRIDGE et al., "Convergent Pathways for Utilization of the Amino Sugars N-acetylglucosamine, N-**A8** acetylmannosamine and N-acetylneuraminic Acid by Escherichia Coli", Journal of Bacteriology, 1999, pp. 47-54, Vol. 181, No. 1, XP000917021

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